

REMARKS

Reconsideration of this application, in view of the following remarks, is respectfully requested.

Claims 1-47 were originally presented for consideration in this application. Claims 2, 14, 29 and 41 have been canceled. Accordingly, claims 1, 3-13, 15-28, 30-40 and 42-47 are currently pending in this application.

The following rejections were set forth in the Office Action:

1. Claims 1-7, 11, 14-17, 19-21, 23, 25-33, 37, 38, 41-44, 46 and 47 stand rejected under 35 USC §102(e) as being anticipated by U.S. Patent No. 6,883,611 to Smith, et al.;
2. Claims 22 and 24 stand rejected under 35 USC §103 as being unpatentable over Smith; and
3. Claims 8-11, 13, 18, 34-36, 39, 40 and 45 stand rejected under 35 USC §103 as being unpatentable over Smith in view of U.S. Published Application 2004/0194971 of Thomson.

The invention relates to a manner of sealing a wellbore junction. In one example shown in FIG. 1, a liner string 22 is installed in a branch wellbore through a window 18 in casing 14 in a main wellbore 12. The liner string has a swellable sealing material 30 on it which swells to seal against the interior of the window 18. In another example shown in FIG. 4, swellable sealing material 30 is located on a sleeve 44 in the main wellbore. The material swells to seal against an upper cut-off end 50 of a liner string 46 in the branch wellbore.

The independent claims 1, 11, 21 and 38 have been amended above to make it clear that the sealing material swells by increasing its volume in the well. Thus, the sealing material is not simply expanded, which could be accomplished by merely stretching a seal outward or compressing a seal element as is done in conventional packers, but is instead swollen so that its volume increases.

All of the independent claims 1, 11, 21 and 38 (and many of the dependent claims) are rejected as being anticipated by the Smith reference. Smith does describe a seal 70 used on a flange-type engagement device 44 at a wellbore junction. The seal 70 is described as being optionally an expanding seal. However, there is no description of the seal 70 being a swellable seal, or of the seal increasing in volume to seal between an assembly and a window. Therefore, Smith does not anticipate any of the independent claims or their dependents.

The Thomson reference has been used in various obviousness rejections for its teaching of a swellable seal 20. However, there is no description in Thomson of how such a swellable seal could be used for sealing between an assembly positioned in a window and the window itself. Instead, Thomson describes the swellable seal 20 as being configured on a conduit 10. The conduit 10 and seal 20 are then inserted into a casing or liner string. The conduit 10 and seal 20 are expanded outward (e.g., by internally inflating the conduit or forcing an expansion cone through the conduit), and the seal is allowed to swell into sealing contact with the casing or liner string.

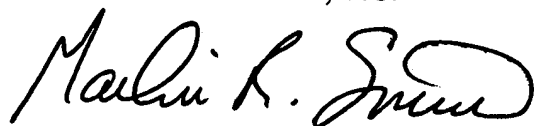
This is very different from the configuration described in the Smith reference. Note that the engagement device 44 is not expanded to facilitate sealing, but is instead received in a guide structure 64. Thus, a person skilled in the art clearly would not look to the Thomson reference for a teaching of how to seal between the engagement device 44 and the guide structure 64. There is no motivation for making the proposed combination of references, a *prima facie* case of obviousness does not exist, and therefore none of the claims presently in the application are rendered obvious by the Smith and/or Thomson references.

In view of the foregoing amendment and remarks, all of the claims pending in this application are now seen to be in a condition for allowance. A Notice of Allowance of claims 1, 3-13, 15-28, 30-40 and 42-47 is therefore earnestly solicited.

The examiner is hereby requested to telephone the undersigned attorney of record at (972) 516-0030 if such would expedite the prosecution of the application.

Respectfully submitted,

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